

1 BRENDA ENTZMINGER  
2 Nevada Bar No. 9800  
3 MELANIE L. THOMAS  
4 Nevada Bar No. 12576  
5 **PHILLIPS, SPALLAS & ANGSTADT LLC**  
6 504 South Ninth Street  
7 Las Vegas, Nevada 89101  
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mthomas@psalaw.net  
6 *Attorneys for Defendant*  
7 *Wal-Mart Stores, Inc.*

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9  
10 UNITED STATES DISTRICT COURT  
11  
12 DISTRICT OF NEVADA

13 MARIA ORGANIS-SERRANO and PABLO  
14 BARRIENTOS, INDIVIDUALLY,

15 Case No.: 2:16-cv-00662-KJD-GWF

16 Plaintiff,  
17 v.  
18 **ORDER TO REMAND TO COURT  
19 ANNEXED ARBITRATION PROGRAM**

20 WAL-MART STORES, INC.; DOES I through  
21 V, inclusive and ROE corporations I through V,  
22 inclusive,

23 Defendants.

24 Defendant, WAL-MART STORES, INC., by and through its attorneys of record, PHILLIPS,  
25 SPALLAS & ANGSTADT, LLC, and Plaintiffs, MARIA ORGANIS-SERRANO and PABLO  
BARRIENTOS, by and through their attorneys of record, DONN PROKOPIUS, do hereby stipulate to  
remand this matter to the Court Annexed Arbitration Program in the Eighth Judicial District Court of  
Clark County, Nevada without prejudice.

Plaintiffs do not dispute the existence of diversity of citizenship of the parties in this matter. This  
stipulation to remand is based on Plaintiffs' averment that the amount in controversy will not exceed  
\$50,000 total. The parties hereby stipulate that this matter be remanded to the Court Annexed  
Arbitration Program in the Eighth Judicial District Court and, therefore, seek an order by this Court  
remanding this matter and capping Plaintiffs' recovery at \$50,000.00.

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1           Defendant reserves the right to Remove this matter back to Federal Court should new evidence or  
2 damages be presented that the jurisdictional limit of \$75,000.00 would be satisfied.

3           DATED this \_\_\_\_ day of September, 2016.

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5           **DONN W. PROKOPIUS &**  
6           **ASSOCIATES**

7           *Donn W. Prokopius*

8           DONN W. PROKOPIUS, ESQ.  
9           Nevada Bar No. 6460  
10          1321 Maryland Parkway  
11          Las Vegas, NV 89104  
12          Donn@pandblawyers.com

13          *Attorneys for Plaintiffs*

1           DATED this \_\_\_\_ day of September, 2016.

2           **PHILLIPS, SPALLAS & ANGSTADT LLC**

3           *Melanie L. Thomas*

4           MELANIE L. THOMAS  
5           Nevada Bar No. 12576  
6           504 South Ninth Street  
7           Las Vegas, Nevada 89101

8           *Attorneys for Defendant  
9           Wal-Mart Stores, Inc.*

10          **ORDER**

11          IT IS SO ORDERED.

12          DATED this 12th day of September, 2016

13            
14          **UNITED STATES DISTRICT JUDGE**  
15          **KENT J. DAWSON**

16          Respectfully submitted by,

17          **PHILLIPS, SPALLAS & ANGSTADT LLC**

18          *Melanie L. Thomas*

19          Melanie L. Thomas  
20          Nevada Bar No. 12576  
21          504 South Ninth Street  
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24          *Attorneys for Defendant  
25          Wal-Mart Stores, Inc.*